

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CARLOS WILLIAMS,

Plaintiff,

Case No. 05-70432

v.

District Judge Paul D. Borman  
Magistrate Judge R. Steven Whalen

CORRECTIONS OFFICER  
DEBORAH A. RIES, INSPECTOR  
CYNTHIA M. ACKER, RESIDENT  
UNIT MANAGERS TERRI HUFFMAN,  
and PENNY LANDRUM, GREIVANCE  
COORDINATOR LARRY McMILLIAN,  
and WARDEN SHERRY L. BURT,

Defendants.

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**ORDER DENYING MOTION TO APPOINT COUNSEL**

Plaintiff, a *pro se* prison inmate in this civil rights action, has filed a motion for Appointment of Counsel [Docket #6] contemporaneously with his Complaint. It is the practice of this Court to defer any attempt to obtain counsel for *pro se* civil rights Plaintiffs until after motions to dismiss or motions for summary judgment have been denied.<sup>1</sup> Defendants have a motion for summary judgment and to dismiss [Docket #25] pending. Therefore, Plaintiff's request for counsel is premature.

If Plaintiff's claims survive Defendants' dispositive motion, he may renew his motion

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<sup>1</sup>Unlike criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. Rather, the Court requests members of the bar to assist in appropriate cases.

for appointment of counsel at that time. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's motion for appointment of counsel [Docket #6] is **DENIED WITHOUT PREJUDICE** pending final decision on Defendants' dispositive motion.

S/R. Steven Whalen

R. STEVEN WHALEN

UNITED STATES MAGISTRATE JUDGE

Dated: September 15, 2005

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on September 15, 2005.

S/Gina Wilson

Judicial Assistant